

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION**

**WESLEY DESHAWN MCCOY,  
TDCJ No. 1687741,**

**Plaintiff,**

**V.**

**OFFICER SERGEANT  
M BERRERA, *et al.*,**

## Defendants.


**Civil Action No. 7:18-cv-00061-M-BP**

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION**  
**OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made Findings, Conclusions, and a Recommendation in this case. No objections were filed. The District Court reviewed the proposed Findings, Conclusions, and Recommendation *de novo*. Finding no error, the Court **ACCEPTS** the Findings, Conclusions, and Recommendation of the United States Magistrate Judge.

It is therefore ORDERED that Plaintiff's Amended Complaint is **DISMISSED WITHOUT PREJUDICE** as to Plaintiff's claims against Defendants in their official capacities for lack of subject matter jurisdiction and **DISMISSED WITH PREJUDICE** as to Plaintiff's claims against Defendants in their individual capacities for failure to state a claim.

**SO ORDERED** on this 27th day of April, 2020.

  
BARBARA M. G. LYNN  
CHIEF JUDGE